

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND ALFORD BRADFORD,

Plaintiff,

v.

J. CEBALLOS, et al,

Defendants.

No. 1:20-cv-01821-DAD-SAB (PC)

ORDER DISMISSING ACTION DUE TO
PLAINTIFF'S FAILURE TO PAY FILING
FEE

(Doc. No. 12)

Plaintiff Raymond Alford Bradford is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 6, 2021, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's application to proceed *in forma pauperis* be denied and that he be required to pay the \$400.00 filing fee in full to proceed with this action. (Doc. No. 4.) On February 1, 2021, the undersigned adopted those findings and recommendations, denied plaintiff's motion to proceed *in forma pauperis*, and ordered plaintiff to pay the \$400.00 filing fee in full within twenty-one (21) days. (Doc. No. 6.) Plaintiff was cautioned that failure to comply with that order and pay the required filing fee within the specified time would result in dismissal of this action. (*Id.* at 2.) On February 10, 2021, plaintiff filed a motion for reconsideration of the court's February 1, 2021 order. (Doc. No. 7.) On April 26, 2021, plaintiff's motion for

1 reconsideration was denied. (Doc. No. 10.) On May 10, 2021, plaintiff filed a second motion for
2 reconsideration of the court's prior order denying plaintiff's application to proceed *in forma*
3 *pauperis* in this action. (Doc. No. 11.) On May 18, 2021, the court denied plaintiff's second
4 motion for reconsideration and directed plaintiff to pay the filing fee within fourteen (14) days.
5 (Doc. No. 12.) Plaintiff was also advised that no further filings would be entertained in this case
6 related to plaintiff's motion for *in forma pauperis* status. (*Id.* at 2.) On June 3, 2021, plaintiff
7 filed a notice of interlocutory appeal in the United States Court of Appeals for the Ninth Circuit.
8 (Doc. No. 13.) On July 16, 2021, plaintiff's appeal was dismissed. (Doc. No. 16.) Plaintiff has
9 not paid the required filing fee and the deadline in which to do so has now passed.

10 Accordingly,

- 11 1. This action is dismissed without prejudice due to plaintiff's failure to pay the
12 required filing fee; and
- 13 2. The Clerk of the Court is directed to close this case.

14 IT IS SO ORDERED.

15 Dated: July 29, 2021

16 
UNITED STATES DISTRICT JUDGE